

oceanic whitetip sharks, or scalloped, smooth, or great hammerhead sharks as specified in § 635.21(c)(1)(ii), § 635.22(a)(2), § 635.24, and § 635.31(c)(6).

(e) *Swordfish*. It is unlawful for any person or vessel subject to the jurisdiction of the United States to:

(1) Purchase, barter for, or trade for a swordfish from the north or south Atlantic swordfish stock without a dealer permit as specified in § 635.4(g), unless the harvesting vessel possesses a valid HMS Commercial Caribbean Small Boat permit issued under § 635.4 of this part and harvested the swordfish in the U.S. Caribbean as defined at § 622.2.

(2) Fail to comply with the restrictions on use of a pelagic longline specified in § 635.21(b) and (c).

(3) When the directed fishery for swordfish is closed, exceed the limits specified in § 635.28(c)(1)(i) and (c)(1)(ii).

(4) When the incidental catch fishery for swordfish is closed, possess, land, sell, or purchase a swordfish, as specified in § 635.28(c)(2).

(5) Transfer at sea a swordfish, as specified in § 635.29(a).

(6) Fail to maintain a swordfish in the form specified in § 635.30(d).

(7) Fail to comply with the restrictions on sale and purchase of a swordfish, as specified in § 635.31(d).

(8) Fish for North Atlantic swordfish from, possess North Atlantic swordfish on board, or land North Atlantic swordfish from a vessel using or having on board gear other than pelagic longline, green-stick gear, or handgear, except as specified at § 635.21(e)(4)(i).

(9) Fish for swordfish from the South Atlantic swordfish stock using any gear other than pelagic longline.

(10) Fish for, catch, possess, retain, or land an Atlantic swordfish using, or captured on, “buoy gear” as defined at § 635.2, unless the vessel owner has been issued a swordfish directed limited access permit or a swordfish handgear limited access permit in accordance with § 635.4(f) or a valid HMS Commercial Caribbean Small Boat permit in accordance with § 635.4(o).

(11) As the owner of a vessel permitted, or required to be permitted, in the swordfish directed, swordfish handgear limited access permit category, or issued a valid HMS Commercial Caribbean Small Boat permit and

utilizing buoy gear, to possess or deploy more than 35 individual floatation devices, to deploy more than 35 individual buoy gears per vessel, or to deploy buoy gear without affixed monitoring equipment, as specified at § 635.21(e)(4)(iii).

(12) Fail to mark each buoy gear as required at § 635.6(c)(1).

(13) Exceed the incidental catch retention limits specified at § 635.24(b).

(14) Exceed the recreational catch limit for North Atlantic swordfish, as specified in § 635.22(f).

(15) As the owner of a vessel permitted, or required to be permitted, in the Atlantic HMS Angling or the Atlantic HMS Charter/Headboat category (and only when on a for-hire trip), fail to report a North Atlantic swordfish, as specified in § 635.5(c)(2) or (c)(3).

(16) Possess any HMS, other than Atlantic swordfish, harvested with buoy gear as specified at § 635.21(e) unless issued a valid HMS Commercial Caribbean Small Boat permit and operating within the U.S. Caribbean as defined at § 622.2.

(17) Fail to construct, deploy, or retrieve buoy gear as specified at § 635.21(e)(4)(iii).

(18) As the owner of a vessel permitted, or required to be permitted, in the Swordfish General Commercial permit category, possess North Atlantic swordfish taken from its management unit by any gear other than rod and reel, handline, bandit gear, green-stick, or harpoon gear, as specified in § 635.21(e)(4)(v).

[64 FR 29135, May 28, 1999]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 635.71, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at [www.fdsys.gov](http://www.fdsys.gov).

#### APPENDIX A TO PART 635—SPECIES TABLES

TABLE 1 OF APPENDIX A TO PART 635—OCEANIC SHARKS

A. Large Coastal Sharks
Atlantic and Gulf of Mexico blacktip, <i>Carcharhinus limbatus</i>
Bull, <i>Carcharhinus leucas</i>
Great hammerhead, <i>Sphyrna mokarran</i>
Lemon, <i>Negaprion brevirostris</i>

TABLE 1 OF APPENDIX A TO PART 635—  
OCEANIC SHARKS—Continued

Nurse, <i>Ginglymostoma cirratum</i>
Sandbar, <i>Carcharhinus plumbeus</i>
Scalloped hammerhead, <i>Sphyrna lewini</i>
Silky, <i>Carcharhinus falciformis</i>
Smooth hammerhead, <i>Sphyrna zygaena</i>
Spinner, <i>Carcharhinus brevipinna</i>
Tiger, <i>Galeocerdo cuvier</i>
B. Small Coastal Sharks
Atlantic sharpnose, <i>Rhizoprionodon terraenovae</i>
Atlantic and Gulf of Mexico blacknose, <i>Carcharhinus acronotus</i>
Bonnethead, <i>Sphyrna tiburo</i>
Finetooth, <i>Carcharhinus isodon</i>
C. Pelagic Sharks
Blue, <i>Prionace glauca</i>
Oceanic whitetip, <i>Carcharhinus longimanus</i>
Porbeagle, <i>Lamna nasus</i>
Shortfin mako, <i>Isurus oxyrinchus</i>
Thresher, <i>Alopias vulpinus</i>
D. Prohibited Sharks
Atlantic angel, <i>Squatina dumeril</i>
Basking, <i>Cetorhinus maximus</i>
Bigeye sand tiger, <i>Odontaspis noronhai</i>
Bigeye sixgill, <i>Hexanchus nakamurai</i>
Bigeye thresher, <i>Alopias superciliosus</i>
Bignose, <i>Carcharhinus altimus</i>
Caribbean reef, <i>Carcharhinus perezii</i>
Caribbean sharpnose, <i>Rhizoprionodon porosus</i>
Dusky, <i>Carcharhinus obscurus</i>
Galapagos, <i>Carcharhinus galapagensis</i>
Longfin mako, <i>Isurus paucus</i>
Narrowtooth, <i>Carcharhinus brachyurus</i>
Night, <i>Carcharhinus signatus</i>
Sand tiger, <i>Carcharias taurus</i>
Sevengill, <i>Heptranchias perlo</i>
Sixgill, <i>Hexanchus griseus</i>
Smalltail, <i>Carcharhinus porosus</i>
Whale, <i>Rhincodon typus</i>
White, <i>Carcharodon carcharias</i>
E. [Reserved]

TABLE 2 OF APPENDIX A TO PART 635—  
PELAGIC SPECIES

Albacore tuna, <i>Thunnus alalunga</i>
Bigeye tuna, <i>Thunnus obesus</i>
Blue shark, <i>Prionace glauca</i>
Bluefin tuna, <i>Thunnus thynnus</i>
Dolphin fish, <i>Coryphaena hippurus</i>
Oceanic whitetip shark, <i>Carcharhinus longimanus</i>
Porbeagle shark, <i>Lamna nasus</i>
Shortfin mako shark, <i>Isurus oxyrinchus</i>
Skipjack tuna, <i>Katsuwonus pelamis</i>
Swordfish, <i>Xiphias gladius</i>

Thresher shark, *Alopias vulpinus*  
Wahoo, *Acanthocybium solandri*  
Yellowfin tuna, *Thunnus albacares*

TABLE 3 OF APPENDIX A TO PART 635—  
DEMERSAL SPECIES

Atlantic sharpnose shark, <i>Rhizoprionodon terraenovae</i>
Black grouper, <i>Mycteroperca bonaci</i>
Blackfin snapper, <i>Lutjanus buccanella</i>
Blacknose shark, <i>Carcharhinus acronotus</i>
Blacktip shark, <i>Carcharhinus limbatus</i>
Blue line tilefish, <i>Caulolatilus microps</i>
Bonnethead shark, <i>Sphyrna tiburo</i>
Bull shark, <i>Carcharhinus leucas</i>
Cubera snapper, <i>Lutjanus cyanopterus</i>
Dog snapper, <i>Lutjanus jocu</i>
Finetooth shark, <i>Carcharhinus isodon</i>
Gag grouper, <i>Mycteroperca microlepis</i>
Lane snapper, <i>Lutjanus synagris</i>
Lemon shark, <i>Negaprion brevirostris</i>
Mangrove snapper, <i>Lutjanus griseus</i>
Marbled grouper, <i>Dermatolepis inermis</i>
Misty grouper, <i>Epinephelus mystacinus</i>
Mutton snapper, <i>Lutjanus analis</i>
Nurse shark, <i>Ginglymostoma cirratum</i>
Queen snapper, <i>Etelis oculatus</i>
Red grouper, <i>Epinephelus morio</i>
Red hind, <i>Epinephelus guttatus</i>
Red snapper, <i>Lutjanus campechanus</i>
Rock hind, <i>Epinephelus adscensionis</i>
Sand tilefish, <i>Malacanthus plumieri</i>
Sandbar shark, <i>Carcharhinus plumbeus</i>
Schoolmaster snapper, <i>Lutjanus apodus</i>
Silk snapper, <i>Lutjanus vivanus</i>
Snowy grouper, <i>Epinephelus niveatus</i>
Speckled hind, <i>Epinephelus drummondhayi</i>
Spinner shark, <i>Carcharhinus brevipinna</i>
Tiger shark, <i>Galeocerdo cuvieri</i>
Tilefish, <i>Lopholatilus chamaeleonticeps</i>
Vermilion snapper, <i>Rhomboplites aurorubens</i>
Warsaw grouper, <i>Epinephelus nigritus</i>
Yellowedge grouper, <i>Epinephelus flavolimbatus</i>
Yellowfin grouper, <i>Mycteroperca venenosa</i>
Yellowtail snapper, <i>Ocyurus chrysurus</i>

[64 FR 29135, May 28, 1999 as amended at 71 FR 58174, Oct. 2, 2006; 75 FR 30528, June 1, 2010; 76 FR 70066, Nov. 10, 2011; 78 FR 40349, July 3, 2013]

**PART 644 [RESERVED]****PART 648—FISHERIES OF THE  
NORTHEASTERN UNITED STATES****Subpart A—General Provisions**

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